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Held at Headquarters, New York,
on Monday, 30 November 1992, at 3 p.m.

President: Mr. GANEV (Bulgaria)

- Scale of assessments for the apportionment of the expenses of the United Nations [111] (continued)

- Chemical and bacteriological (biological) weapons [60]

  (a) Report of the First Committee

  (b) Report of the Fifth Committee

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- Question of Palestine [30]

  (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

  (b) Report of the Secretary-General

- Tentative programme of work

- Question of Palestine [30] (continued)

  (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

  (b) Report of the Secretary-General

The meeting was called to order at 3.30 p.m.

AGENDA ITEM 111 (continued)

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS (A/47/442/Add.6)

The PRESIDENT: Before turning to the first item on our agenda for this meeting, I should like to draw the Assembly's attention to document A/47/442/Add.6, which contains a letter addressed to me by the Secretary-General informing me that, since the issuance of his communications dated 15, 18, 22 and 24 September, 2 October and 16 November 1992, the Dominican Republic has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

AGENDA ITEM 60

CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

(a) REPORT OF THE FIRST COMMITTEE (A/47/690)

(b) REPORT OF THE FIFTH COMMITTEE (A/47/704)

The PRESIDENT: I request the Rapporteur of the First Committee, Mr. Jerzy Zaleski of Poland, to introduce the report of the First Committee.

Mr. ZALESKI (Poland), Rapporteur of the First Committee: It is a great pleasure and honour for me to introduce to the General Assembly the report of the First Committee on agenda item 60, entitled "Chemical and bacteriological (biological) weapons", contained in document A/47/690. The related programme budget implications appear in the accompanying report of the Fifth Committee, issued as document A/47/704.

(Mr. Zaleski, Rapporteur, First Committee)

At this stage, I should also like to inform the Assembly that the remaining reports of the First Committee will be introduced, as announced, at a subsequent plenary meeting of the General Assembly.

The successful conclusion, after 24 years of the most difficult and complex negotations, of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, at the Conference on Disarmament in Geneva on 3 September this year, is a historic achievement in the field of multilateral arms control and disarmament. The Convention is truly an

"unprecedented, global, comprehensive and verifiable multilateral disarmament agreement", (A/47/690, p. 8, op. para. 4)

which bans an entire class of weapons of mass destruction together with the means of their delivery and other devices specifically designed to enable them to be used.

Furthermore, it provides for the destruction of all chemical weapons, including abandoned chemical weapons, as well as for the destruction of chemical-weapons production facilities.

It is particularly important to note that the Convention does not hamper in any manner the economic and technological development of States. On the contrary: it in fact promotes international trade, technological development and economic cooperation in the chemical field for purposes not prohibited by the Convention. In addition, the Convention protects States Parties against the potential use or threat of use of chemical weapons, and provides for the necessary assistance in such cases and for the relevant actions to be initiated in the event of violations; these actions included the imposition of sanctions.

(Mr. Zaleski, Rapporteur, First Committee)

Last but not least, the Convention contains a most extensive and sophisticated verification system that comprises, among other things, challenge inspections; this is an entirely new instrument which constitutes a verification measure of a new generation. Needless to say, the verification system is based on the total confidentiality of activities not relevant to the provisions of the Convention.

Indeed, such an unprecedented system of verification can and should be recommended as a benchmark for future multilateral arms control and disarmament agreements and for strengthening existing verification regimes.

The draft resolution contained in the report of the First Committee that I have just introduced sets the stage for signing the chemical-weapons Convention; this, at the invitation of the President of the French Republic, Mr. François Mitterrand, will take place in Paris on 13 January 1993. For this reason, the draft resolution calls on all States to sign and become parties to the Convention at the earliest possible date in order to ensure its early entry into force as well as universal adherence to it. And there are good prospects for achieving this goal: the draft resolution has been sponsored by no less than 145 Member States, and was adopted by the First Committee without a vote.

In conclusion, I should like to express my sincere hope that the members of this body will follow suit and give their overwhelming support to the draft resolution recommended by the First Committee.

The PRESIDENT: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the report (A/47/690) of the First Committee before the Assembly today.

It was so decided.

The PRESIDENT: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendation of the First Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of General Assembly decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee".

May I remind delegations that, also in accordance with decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendation contained in the report of the First Committee, I should like to advise representatives that we shall proceed to take a decision in the same manner as was done in the First Committee.

I call on the representative of Egypt, who wishes to make a statement in explanation of position before the decision is taken.

Mr. ELARABY (Egypt) (interpretation from Arabic): I speak on behalf of the States members of the League of Arab States before action is taken on the draft resolution before the General Assembly concerning the Convention on Chemical Weapons.

All types of chemical weapons are among the most atrocious instruments of war, given their destructive capacity and their wide-ranging effects.

(Mr. Elaraby, Egypt)

The Arab States have participated earnestly and sincerely in the deliberations of the Conference on Disarmament, with the aim of elaborating a comprehensive and global draft convention on the prohibition of chemical weapons. In so doing, the Arab States proceeded from the conviction that there is a pressing need to eliminate the threats to international peace and security and to the future of humanity posed by all kinds of weapons of mass destruction.

(Mr. Elaraby, Egypt)

In very briefly reviewing the draft Convention before us we find that it contains a large number of positive and important elements. First, it prohibits comprehensively the acquisition, production, development and stockpiling of all types of chemical weapons and thus aims at their complete elimination. Secondly, it guarantees equality in legally binding rights and obligations for all parties without distinction. Thirdly, it contains a meticulous, credible and effective regime of verification that ensures the security and safety of all parties by guaranteeing the implementation of all relevant commitments.

Indeed, the draft Convention is an example to be followed in working for disarmament. No doubt, it will have a positive effect on our future endeavours in this area and in developing further the other legal instruments that are in force at present regarding weapons of mass destruction, with a view to dealing with the shortcomings that impair those instruments and thereby make them whole and integrate the legal foundations for the elimination of all types of weapons of mass destruction.

There is no doubt that the draft Convention is an ambitious document in the area of general and complete disarmament. It will certainly energize international efforts in this field. It is also a step that will contribute positively to the establishment of the world order we aspire after on sound legal foundations that will free the world from the policies of confrontation and the threat of mutual annihilation.

The participation by the Arab States members of the Conference on Disarmament in the negotiations on the provisions of the draft Convention on the prohibition of chemical weapons proceeded from their interest in maintaining international peace and security and, at the same time, maintaining Arab national security.

(Mr. Elaraby, Egypt)

Their determined effort to make the provisions of the Convention as stringent as possible and to avoid any loopholes that may weaken the enforcement of those provisions and thereby limit the chances of success in achieving its principal objective, stemmed from that overriding interest.

In this context, I should like to point out the following, very briefly: first, the measures stipulated in the draft Convention are not sufficient to guarantee the application of the regime of challenge inspection. Secondly, the draft Convention does not affirm explicitly that its application will not hamper or obstruct the economic and technological development of all parties, particularly the developing countries.

In this respect, we should mention the fact that the draft Convention does not provide global security guarantees that would deter the use or threat of use of chemical weapons against any party to the Convention. This is a shortcoming in the draft Convention that is similar to the shortcoming in the Treaty on the Non-Proliferation of Nuclear Weapons, which has not achieved universality yet although it entered into force a quarter of a century ago.

The national security of States is an indivisible and integral whole and, consequently, all types of threats posed to security should be addressed with the same earnestness and the same care in observing the delicate balance between all the elements which constitute the foundations of national security and of stability.

With these considerations in view, the Final Document of the first special session of the General Assembly devoted to disarmament defined the priorities of disarmament and considered weapons of mass destruction, primarily nuclear weapons, the most dangerous because they pose the greatest threat to the future of humanity.

(Mr. Elaraby, Egypt)

Given their awareness of this fact, the Arab States have renounced the nuclear option. They have done so because of their awareness of the grave threats the nuclear option would pose to the Middle East region by dragging it into a nuclear-arms race in the midst of all the tensions that arise from the failure to find just and comprehensive solutions to the region's many problems which continue to threaten its security. Hence the Arab States' support for the initiative of ridding the Middle East of nuclear weapons, their accession to the Non-Proliferation Treaty, and their application, without exception, of the International Atomic Energy Agency (IAEA) safeguards regime.

Regardless of all the sincere efforts by Arab States to prevent an arms race in non-conventional weapons in this part of the world, Israel, for its part, refuses to take a parallel step in the same direction, either by acceding to the Non-Proliferation Treaty or by placing its nuclear facilities under the IAEA safeguards regime. On the contrary, Israel, on every occasion, has sought to conceal its capabilities in the area of nuclear armament in a shroud of mystery.

These two differing approaches by the Arab States and by Israel lead us to realize that the most important element in the balance of security needed for the maintenance of peace and security in the region is still lacking. The persistence of this situation poses very grave threats to the security of all Arab States and States of the Middle East region as a whole.

The Arab States welcome the recent achievements in the area of disarmament, especially those relating to the establishment of its mechanisms and the achievement of its goals. At the same time, the Arab States stress the need for all efforts in this area to be based on the principle of equality between all States as to the rights and obligations involved in the maintenance of peace and security.

(Mr. Elaraby, Egypt)

The Ministers of Foreign Affairs of Arab States met in Cairo in September 1992, and debated in depth the Arab position on the draft Convention. The Arab Group, at ministerial level, adopted a unified position on this question. The Foreign Ministers decided the following:

First, the Arab States were prepared to address all positive proposals for disarmament which would lead to qualitative and quantitative parity in the military capabilities of all the States of the region and ensure security through equal, legally binding commitments within the framework of disarmament that would be applied on an equal footing to all States of the region without exception. Secondly, they reiterated support for declaring the Middle East a region free of all weapons of mass destruction, nuclear, chemical and biological, as this is the best means of ensuring security for all States of the region. Thirdly, the Arab States were prepared to deal with the draft Convention on chemical weapons within the context of the efforts aiming at the establishment of a mass-destruction-weapons-free zone and to the extent that Israel responds to international calls for it to accede to the Non-Proliferation Treaty and to place its nuclear facilities under the IAEA safeguards regime in conformity with Security Council resolution 487 (1981).

In conclusion, I should like to reaffirm that the Arab States, proceeding from the requirements of their national security and their common national interests, cannot deal, under the present circumstances, with the draft Convention on chemical weapons in isolation from the other international efforts aimed at the elimination of the other weapons of mass destruction such as the Non-Proliferation Treaty, the IAEA international safeguards and inspection regime and the provision of credible international guarantees. Despite all this, the Arab States will not pose an obstacle to the adoption of the draft Convention by the General Assembly. If the draft had been put to a

(Mr. Elaraby, Egypt)

vote the Arab States would have abstained. Accordingly, our position should not be construed as participation in the adoption of a resolution on this question.

The Arab States hope that this position will provide the impetus to step up efforts to eliminate all types of weapons of mass destruction, particularly nuclear weapons, in order to ensure the security of the Middle East region on the basis of determining principles that would be compatible with logic, and consistent with the most important principle that governs international relations in the post-cold-war period, namely the principle of the coequality of all the member States of the international community.

The PRESIDENT: The Assembly will now take a decision on the draft resolution recommended by the First Committee in paragraph 11 of its report (A/47/690).

The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/47/704.

The draft resolution, entitled "Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction", was adopted by the First Committee without a vote.

May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 47/39).

The PRESIDENT: I call on the respresentative of the United States of America for a statement in explanation of position.

Mr. WATSON (United States of America): The United States Government believes that the General Assembly has made history today. By adopting the draft resolution on chemical weapons without a vote, the United Nations and all its Member States are sending to the world a positive and overwhelming message of support for the chemical weapons Convention. With 144 sponsors, support for the Convention is truly global, and the United States wishes to thank all those countries that contributed so much to get us to this important step.

The States Members of the United Nations must now look past the vote today commending the chemical weapons Convention. Where do we go from here? The resolution that was just adopted calls upon all nations to sign and become parties to the Convention. Moreover, the resolution requests that the Secretary-General, as Depositary of the Convention, open it for signature. A signing ceremony will take place on 13 January under the hospitality of the

(Mr. Watson, United States)

French Government. The United States wishes to reaffirm that it will be present in Paris, and that the United States will be an original signatory of the Convention. My Government urges all States Members of the United Nations to do the same.

Universal participation is key to the success and viability of this Convention. No Government should stand apart from the international community's efforts to abolish chemical weapons. And every country has an obligation to do everything within its power to ensure that all States sign this Convention. The chemical weapons Convention, with universal adherence, will enhance the security of all nations, especially in regions of the world where chemical weapons have been used in the recent past with such devastating effects.

Let me point out one further reason for all States - even those with concerns about some parts of the Convention - to sign it in January. Only by signing the Convention early can a country gain the right to participate in the Preparatory Commission and thereby play a role in the development of the Convention's operating procedures in the establishment of the Organization for the Prevention of Chemical Weapons.

The time has come to show the world our resolve about eliminating chemical weapons. This consensus resolution is a major step in that direction. Signing the Convention in January is the next step. My Government hopes to see all who have joined the consensus today represented in Paris and in the Preparatory Commission meetings at The Hague thereafter.

The PRESIDENT: The General Assembly has just adopted a truly important resolution on its disarmament and international security agenda,

(The President)

commending the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. The Convention is the result of long and often difficult negotiations by States members of the Geneva-based Conference on Disarmament. For that, they deserve much praise.

The conclusion of the chemical weapons Convention marks a historic achievement indeed, as it provides the international community with the first multilaterally negotiated global and verifiable disarmament agreement. It is true that the Convention that was negotiated does not fully satisfy the concerns and interests of each and every State. On the whole, however, the Convention represents the best compromise possible to eliminate completely all categories of weapons of mass destruction and, together with other disarmament agreements, it could certainly advance efforts towards the elimination of all weapons of mass destruction worldwide.

The implementation of the Convention will prove the value of its provisions. It is therefore my sincere hope that the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, will receive the widest possible support when it is opened for signature on 13 January 1993 in Paris.

May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 60?

It was so decided.

AGENDA ITEM 30

QUESTION OF PALESTINE

(a) REPORT OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE (A/47/35)

(b) REPORT OF THE SECRETARY-GENERAL (A/47/716)

The PRESIDENT: I should like to propose that the list of speakers in the debate be closed at 12 noon tomorrow.

It was so decided.

The PRESIDENT: I therefore request those representatives who wish to participate in the debate to inscribe their names on the list of speakers as soon as possible.

I now call on the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mr. CISSÉ (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (interpretation from French): First of all, Sir, I wish to congratulate you, on behalf of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, on your election to the presidency of the Assembly. This is a time of great changes and increasing challenges for the United Nations. Your experience, diplomatic talent and devotion to the goals of the Organization will be of great value to the conduct of our deliberations. Let me assure you that the Committee fully supports you as you carry out your duties. I also take this opportunity to express thanks once again to your predecessor, Ambassador Samir Shihabi, for the able manner in which he presided over the work of the Assembly last year and for his commitment to the Palestinian cause.

(Mr. Cissé, Chairman, Committee on the Exercise of the Inalienable Rights of the Palestinian People)

Once again, the Palestinian people find themselves at a crucial moment in their history when they can, at one and the same time, expect the best and fear the worst. Forty-five years have passed since the General Assembly decided, in its historic resolution 181 (II) of 29 November 1947, to partition Palestine and to create two States, one Arab and one Jewish, joined in economic union, with special international status for Jerusalem. In keeping with the General Assembly's mandate, the Committee on the Exercise of the Inalienable Rights of the Palestinian People has today commemorated this anniversary with a special meeting, as it has done every year.

Despite the conflicts that prevailed in the region, no one at that time could possibly have foreseen the tragedy that would follow. Since then, five major wars have torn that small region of the world apart. Hundreds of thousands of people have been forced into exile, many of them more than once. They and their descendants are still in exile today - involuntary refugees, wards of the international community. At the beginning of this year, our Committee commemorated the twenty-fifth anniversary of the occupation of the West Bank, the Gaza Strip and East Jerusalem, an occupation which is maintained purely through military force because it has been rejected by all those living under it.

For the Palestinians this translated into at least three generations that do not know what it means to live in peace - a peace defined not simply as the absence of war, but also as security of person and mind, as the right to choose one's occupation, to be with one's family, to enjoy the fruits of one's labour and one's property, to participate freely in the building of

(Mr. Cissé, Chairman, Committee on the Exercise of the Inalienable Rights of the Palestinian People)

one's society. Parts of Syria and Lebanon are also still under occupation. For the Israelis, and the other peoples in the region, this constant state of war has caused insecurity and fear and the tremendous drain on resources resulting from the escalating arms race.

History teaches us that the right of peoples to self-determination is a fundamental human aspiration. That cannot be suppressed indefinitely without provoking revolt on the part of the oppressed. For the Palestinian people, to whom the League of Nations had given the hope of existing as an independent nation and to whom the United Nations subsequently promised their own State, the history of this century is strewn with disappointments and betrayals. This fundamental right has been denied for far too long.

However, two threads have run consistently through all the approaches taken by the international community to achieving a solution to the conflict - that is, the inadmissibility of any acquisition of territory by force, and the recognition of the right of peoples to self-determination. Now, some 75 years after President Wilson propounded those ideas, the time has surely come for the international community to apply them to the Palestinian people.

With that objective in mind, the Committee on the Exercise of the Inalienable Rights of the Palestinian People joined the rest of the international community in welcoming the peace process launched last year in Madrid under the co-chairmanship of the United States and the former Soviet Union - a process based on those same guiding principles. The Committee, therefore, can only deplore the fact that the talks have not yet achieved concrete results although the co-chairmen had initially envisaged a one-year time-frame for the first stage.

(Mr. Cissé, Chairman, Committee on the Exercise of the Inalienable Rights of the Palestinian People)

In the Committee's view, the continued occupation, bolstered by armed force and by a policy of gradual de facto annexation of the Palestinian territories, and the continued refusal to recognize Palestinian national rights are the main obstacles to any progress on the road to peace. Over the years, the Committee has constantly pointed out that Israel's intransigence on these fundamental questions can only increase tension and violence in the region and fuel the fire of opposing extremisms. The occupation has a destructive effect not only on the occupied but also on the occupier. A change of perspective and a new political will to solve problems through negotiation rather than through resort to force are indispensable if we wish to make progress towards genuine peace.

The Committee believes that the Israeli people aspire to a just peace; indeed, they so pronounced in the recent elections. The Committee appeals once again to the present Israeli Government to respond positively to the peace initiative launched by the Palestinians in 1988 and to their subsequent proposals, and also to recognize the inalienable national rights of the Palestinian people, in particular their right to self-determination.

The current situation presents new opportunities but also obvious dangers. The increase in violence in the region in recent weeks is a stark reminder of the consequence of failure. It imposes on all the parties concerned an urgent obligation to redouble their efforts to achieve progress in the negotiations before the window that has been opened closes once again and the situation spins out of control.

The Committee believes that the proposal made by the General Assembly as long ago as 1983 for the holding an international peace conference under the

(Mr. Cissé, Chairman, Committee on the Exercise of the Inalienable Rights of the Palestinian people)

auspices of the United Nations presented the most comprehensive and practical framework for peace and that the convening of such a conference will, in the final analysis, be necessary to give international approval to all the agreements reached during the various negotiations and discussions. The United Nations must shoulder its responsibilities with respect to the Palestinian question until the question, in all its aspects, is solved in a satisfactory manner in conformity with international principles and United Nations resolutions. Any final settlement must be based on the principles for a comprehensive peace spelled out by the General Assembly in its relevant resolutions and reaffirmed most recently in resolution 46/75 of December 1991.

In this regard, the Committee unreservedly supports the position taken by the Movement of Non-Aligned Countries at its Summit Conference in Jakarta in September 1992 as well as the position taken by the Organization of the Islamic Conference at its ministerial meeting, also held in September. After all, these years of determined struggle by the Palestinian people in extremely difficult conditions, it is abundantly clear that only the acceptance and implementation of these principles will lead to a true and lasting peace in the region.

While the diplomats move ahead cautiously, but necessarily slowly, in their work, it is indispensable for Israel, the occupying Power, to take a number of measures to restore basic freedoms and to satisfy the fundamental needs of the Palestinians living under occupation. By respecting the

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provisions of humanitarian law and human rights instruments, Israel not only would fulfil its binding obligation as a party to those instruments but would contribute to defusing tensions and show that the peace negotiations could achieve meaningful results.

The Committee notes with concern reports from various sources that the initial statements and measures of goodwill by the new Israeli Government have not improved the situation in the occupied Palestinian territory and have been followed by increased repression, particularly during the prisoner hunger strike in October 1992, and by the current unsettled situation.

(Mr. Cissé, Chairman, Committee on the Exercise of the Inalienable Rights of the Palestinian People)

The Committee calls on the Israeli Government to intervene immediately to put an end to non-judicial executions, to cease all land confiscation and settlement activities, to free political prisoners, to put an end to deportations, to administrative detention, to the mistreatment and torture of prisoners, to restore freedom of movement and other civil liberties, and to repeal the military orders through which it exercises control over every aspect of Palestinian daily life. The Committee calls on Israel once again to recognize the applicability of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War to the occupied Palestinian Territory, including Jerusalem, and to implement its provisions and those of the various human rights instruments to which it is a party. The Committee considers that the fact that a peace process is under way does not detract in any way from Israel's obligations in this regard.

Pending progress towards a political settlement, the Committee considers it is of the utmost urgency that all necessary measures be taken to protect the Palestinian people living under occupation, in accordance with the provisions of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and with numerous resolutions of the Security Council and the General Assembly. The Committee considers that today more than ever the High Contracting Parties to the Geneva Convention and the entire United Nations system must, without delay, take measures to ensure that Israel abides by its obligations as the occupying Power, in accordance with Security Council resolution 681 (1990) of 20 December 1990.

(Mr. Cissé, Chairman,
Committee on the Exercise
of the Inalienable Rights
of the Palestinian People)

Before concluding, I should like to inform the Assembly that, in the year that is just ending, the Committee, in accordance with its mandate, has continued to do its best to promote a meaningful peace process based on United Nations principles and resolutions, and to put an an end to Israeli policies and practices affecting the human rights of the Palestinian people in the occupied Palestinian territory, including Jerusalem. In its programme of work for 1992, the Committee decided to intensify its efforts, as the United Nations organ primarily responsible for promoting the exercise by the Palestinian people of their inalienable rights, and to focus its activities on a number of priority issues: on the need to end human rights violations and to ensure the protection of Palestinians in conformity with the Fourth Geneva Convention; on the adverse impact of settlements on the exercise of the rights of the Palestinian people; on the need for development assistance, and the promotion of a comprehensive, just and lasting peace in accordance with the relevant United Nations resolutions.

In 1992, the Committee, in cooperation with the Division for Palestinian Rights of the United Nations Secretariat, held an Asian regional seminar and non-governmental organization symposium in Cyprus, for which I should like once again to express my most sincere thanks to the Government and people of that country. The Committee also held a seminar for the North American region, which it devoted entirely to the need for enforcing the Fourth Geneva Convention and ensuring the protection of Palestinians living under occupation. In this regard, I should like to stress the usefulness of the recommendations made by the experts participating in that seminar. The

(Mr. Cissé, Chairman,
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of the Palestinian People)

Committee also held a seminar for the European region in Malta, and I should like once again to express the Committee's gratitude to the Government and people of that country for having hosted that important event. In addition, symposia for non-governmental organizations were held for the North American and European regions, as well as an international meeting of non-governmental organizations. The Committee is of the view that these activities continue to be very useful, not only for mobilizing international public support for a just settlement of the question of Palestine, but also to give an opportunity to representatives of Governments, intergovernmental and non-governmental organizations, together with experts, parliamentarians, opinion-makers and others, to analyse the situation, establish contacts and study together strategies for the future.

The Committee has also continued to follow closely the situation in the occupied Palestinian territories and to report on it regularly to the General Assembly and to the President of the Security Council. Studies and publications have been issued by the Division for Palestinian Rights on various aspects of the question of Palestine in order better to inform and mobilize international public opinion.

The Committee considers that the programme of research, studies and publications of the Division for Palestinian Rights is an essential resource for information, analysis and promotion of international action, and calls for its strengthening through the establishment of an adequately staffed and equipped computerized system.

(Mr. Cissé, Chairman, Committee on the Exercise of the Inalienable Rights of the Palestinian People)

The question of Palestine is now at a more delicate stage than ever before and the Committee trusts, as I do, that the current hopes will finally bear fruit and that the necessary decisions will be taken very soon by those concerned. Our Committee, established to promote the exercise of the inalienable rights of the Palestinian people, will continue to do its utmost to ensure that that goal is finally realized through the triumph of reason and law so that justice can be done to the Palestinians and the entire world can live in peace and security. Our Committee is resolved, within the context of the mandate given it by the General Assembly, to contribute towards the establishment in the Middle East of a just peace which will benefit all the peoples of the region.

The PRESIDENT: I call on the Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to introduce the Committee's report.

Mr. CAMILLERI (Malta), Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People: It is an honour for me, in my capacity as Rapporteur, to present to the General Assembly the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People covering its work during the past year (A/47/35).

In 1992 the Committee, under the able guidance of its Chairman, Ambassador Kéba Birane Cissé, carried out its mandate in conformity with the resolutions adopted by the General Assembly.

(Mr. Camilleri, Rapporteur, Committee on the Exercise of the Inalienable Rights of the Palestinian People)

In the introduction to the report, the Committee stresses that, with the fundamental changes in the international political scene, the shift from confrontation to cooperation in international affairs and the renewed determination to work towards the resolution of long-standing regional conflicts, it is of the utmost importance to intensify efforts to bring about a comprehensive, just and lasting settlement of the question of Palestine, the core of the Arab-Israeli conflict.

The Committee also welcomed the convening, under the sponsorship of the United States and the former Soviet Union, of the peace conference on the Middle East as a significant step towards the achievement of peace in the region.

(Mr. Camilleri, Rapporteur, Committee on the Exercise of the Inalienable Rights of the Palestinian People)

Chapters II and III of the report are procedural and summarize the respective mandates of the Committee, the Division for Palestinian Rights and the Department of Public Information. They also give information on the organization of the work of the Committee.

The action taken by the Committee in 1992 is described in Chapter IV of the report. The Committee has monitored the situation in the Palestinian territory occupied since 1967, including Jerusalem, on an ongoing basis through the media and reports of the United Nations organs and agencies, as well as through information collected by Governments, non-governmental organizations, individual experts, including Israelis and Palestinians who participated in meetings held under the auspices of the Committee, and other sources.

The Committee, in a special meeting held in June 1992, reviewed the effects of the Israeli occupation on the Palestinian people in the 25 years since the 1967 war. The Committee notes with deep concern that the Palestinian people have paid dearly for the occupation, with loss of life, loss of land and natural resources and severe restrictions on their political, civil, economic, social and cultural rights.

The Committee also notes with great concern that the Israeli armed forces continued to use unjustified force in suppressing the intifadah and exerting control over the Palestinian population living under occupation. The report contains a number of specific details regarding the effects of occupation on Palestinians and the continuing violations of human rights and fundamental freedoms.

(Mr. Camilleri, Rapporteur, Committee on the Exercise of the Inalienable Rights of the Palestinian People)

The Committee notes that in October 1991 Israel ratified the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment, and it calls on the relevant supervisory bodies to take all measures in their power to ensure that Israel abides by its obligations under those treaties.

As the General Assembly is aware, the Committee is mandated to report and make suggestions to the Assembly and the Security Council, on an ongoing basis, with regard to developments relating to the question of Palestine. In several letters, which have been issued as documents of the General Assembly and of the Security Council and which are listed in the report, the Chairman drew the attention of those concerned to serious and urgent events, and made recommendations for action by the United Nations, particularly with regard to ensuring the protection of Palestinians living under occupation and the observance of the Geneva Convention relative to the Treatment of Civilian Persons in Time of War.

These concerns of the Committee for the promotion of a comprehensive, just and lasting peace in the region, based on internationally recognized principles and United Nations resolutions, and for the implementation by the occupying Power of the provisions of humanitarian law and human-rights instruments are reflected in the programme of work undertaken by the Committee in 1992.

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The Committee, in cooperation with the Division for Palestinian Rights, organized a number of regional seminars and meetings of non-governmental organizations. The Committee was encouraged by the active participation in these activities of prominent political personalities, parliamentarians, policy-makers and other experts, including Israelis and Palestinians, and of committed and knowledgeable representatives of non-governmental organizations. The Committee believes that these meetings make a positive contribution to peace efforts by providing a forum for a balanced and constructive discussion of all the issues.

The Committee notes that non-governmental organizations have further intensified their activities to assist the Palestinian people and to promote a just and comprehensive peace.

Finally, the report also gives information on the activities of the Division for Palestinian Rights in the field of publications and information and on the commemoration of the International Day of Solidarity with the Palestinian People, as well as on the continuing development of a computer-based information system that will strengthen the research and data-collection capabilities of the Division.

Chapter V of the report covers the work of the Department of Public Information, which includes the publications and audio-visual activities of the Department, encounters for journalists and news missions to the area.

In its recommendations, which are contained in the final chapter, the Committee draws attention to the fact that the year 1992 marks the twenty-fifth anniversary of the occupation by Israel of the Palestinian and

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other Arab territories, including Jerusalem. It welcomes the peace process and draws the international community's attention to the fact that the occupation continues. It expresses support for the intifadah - the Palestinian struggle to end the Israeli occupation and implement the proclamation of independence of November 1988.

The Committee also recalls that the Peace Conference on the Middle East, convened under the co-sponsorship of the United States and the former Soviet Union, has for its frame of reference Security Council resolutions 242 (1967) and 338 (1973) and the principle of land for peace. It stresses the need for an active role for the United Nations, the Security Council and the Secretary-General if the peace process is to have a successful outcome.

It reaffirms that the responsibility of the United Nations with respect to the question of Palestine will continue until the question is solved in all its aspects.

The Committee also recalls that an international consensus on the essential principles for a solution of the question of Palestine has gradually been reached. It recalls the original recommendations of the Committee, which are annexed to the report, and the Declaration and programme of action adopted by the International Conference on the Question of Palestine in 1983.

The Committee considers that in recent elections a majority of the Israeli public voted for peace, and the Committee expresses the hope that the new Israeli Government would recognize and respect the national aspirations

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and rights of the Palestinian people - in particular, the right to self-determination - and will institute radical changes in Israel's policies in favour of peace. The Committee also calls on the Israeli Government to end human-rights violations and to abide by the provisions of the Fourth Geneva Convention. It draws attention, in this regard, to the relevant recommendations made by the North American Seminar - organized by the Committee in 1992 - on the enforcement of the Fourth Geneva Convention.

The Committee also states that, pending progress towards a political settlement, it is of the utmost urgency that all necessary measures be taken by the High Contracting Parties to the Geneva Convention and by the United Nations system as a whole to protect Palestinian people in the Palestinian territory occuped since 1967, including Jerusalem.

The Committee also reaffirms the duty and responsibility of the United Nations to render all assistance necessary to the promotion of the social and economic development of the Palestinian territory occupied since 1967, including Jerusalem. It has decided to devote its 1993 European regional seminar to this question, in response to Economic and Social Council resolution 1992/58.

The Committee notes with satisfaction the increased international support, in the year under review, for the attainment of a comprehensive, just and lasting solution of the question of Palestine - a process in which its programme of regional seminars, meetings of non-governmental organizations and other, informal, activities has played a valuable role. The Committee will continue and intensify its efforts to achieve maximum effectiveness in the

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implementation of its mandate, and it calls on all Governments to participate in its work and activities.

The Committee trusts that the Assembly will endorse its recommendations and support its work, as has happened every year since the Committee's establishment.

The PRESIDENT: In accordance with General Assembly resolution 3237 (XXIX), of 22 November 1974, and resolution 43/177, of 15 December 1988, I now call on the head of the Observer delegation of Palestine.

Mr. KADDOUMI (Palestine) (interpretation from Arabic): It is my pleasure to start this statement by extending to you, Sir, my sincere congratulations on your election to the presidency of the General Assembly at its forty-seventh session. We are confident that, with your wisdom and great skill, you will lead the work of the present session to a successful conclusion. In this respect, I cannot fail to mention the bonds of friendship and cooperation that exist between your country - Bulgaria - and Palestine and its struggling people, as well as the support extended by your country and people to the Palestinian people.

(Mr. Kaddoumi, Palestine)

I should also like to salute your predecessor, Ambassador Samir Shihabi of fraternal Saudi Arabia, who is also a loyal son of Jerusalem, for his able and skilful leadership of the work of the General Assembly at its forty-sixth session.

I should like also to extend fraternal congratulations to Mr. Boutros Boutros-Ghali on his election as Secretary-General of the United Nations. I am confident that he will conduct the affairs of our international Organization in the best interests of the United Nations and of the peoples of the world. He has earned our thanks for the serious efforts he has deployed and continues to deploy in order to establish the foundations of peace and human rights; we hope that his highly acclaimed study, "An Agenda for Peace" (A/47/277), will meet with success.

I must also thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People and its Chairman, Mr. Kéba Birane Cissé, for their invaluable efforts in supporting the question of Palestine and the struggle of the Palestinian people.

One year ago, in our statement from this very rostrum, we stated that it was a historic experience for the world to be able to hear the speakers from all parties to the Arab-Israeli conflict and that that was cause for hope to witness great strides in the search for peace in the Middle East. When we said this, we had in mind the Middle East Peace Conference, which started in Madrid on 30 October 1991 after a long and arduous international travail that culminated in bringing together, around one negotiating table, all the parties to the Arab-Israeli conflict.

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There, for the record, the Palestinian delegation was the focus of world attention because of its forthcoming attitude, despite the harsh conditions imposed upon it. The Palestinian delegation adhered to the conditions of participation in order to help the Peace Conference succeed and to propel the peace process towards the achievement of the desired results.

In contrast, we summarized what Israeli Prime Minister Mr. Shamir had said in that Conference: his expansionist ideas about building a greater Israel and his attempts to falsify human history and deceive the world by trying to obliterate the cultural identity and indeed deny the very existence of the Palestinian people which, for millennia, had stood up to all invaders of Palestine and had steadfastly defended its beloved soil.

The Executive Committee of the Palestine Liberation Organization welcomed, from the very start, the positive aspects of President Bush's address to the United States Congress on 6 March 1991, in which he put forth his well-known political initiative and said that any comprehensive settlement of the Arab-Israeli conflict must be based on United Nations Security Council resolutions 242 (1967) and 338 (1973) and the land-for-peace principle, which is the principle that guarantees recognition of Israel and its security as well as the legitimate political rights of the Palestinian people. The United States President also considered Israeli settlements to be an obstacle to peace.

We saw in this address by the United States President a good start which would probably lead to a just and comprehensive solution to the Middle East crisis. Thus, when the initiative was followed by the convening of the Madrid Peace Conference on 30 October 1991, we were all hoping that successful Arab-Israeli negotiations would ensue.

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The negotiations in Washington started with a sincere Arab desire to achieve tangible results that would bring us closer to a final solution. To our surprise, we found ourselves faced by Israeli manoeuvring and elusiveness and Israeli determination to eschew discussion of the substantive issues and to create difficulties and obstacles with a view to frustrating any opportunity that carried the seeds of achieving any possible progress. No wonder then that Shamir stated, after his Likud party lost in the last Israeli general elections, that he had intended to go on procrastinating for 10 more years through these negotiations in order not to arrive at any solution.

Eight months have passed since the start of the Arab-Israeli negotiations and the world still waits for the deadlock to be broken and for one step to be taken forward. Shamir had always blocked any attempt by any Arab delegation to break the deadlock and allow the negotiations to move to a serious consideration of possible means of achieving the desired solution. After Shamir's defeat, Rabin took over and began putting forth smoothly worded and slickly phrased ideas and proposals for partial solutions. It was with a sense of disappointment, and with a negative reaction, that we listened to the new Israeli Prime Minister introduce the political platform of his new Government to the Knesset, and, in so doing, completely ignored the general foundations on which a political settlement must be based, namely, Security Council resolutions 242 (1967) and 338 (1973).

At the same time, regrettably, he issued a warning to the Palestinian people and levelled all sorts of accusations at the Palestinian leadership. In so doing, he resorted to threats and declared that he will use all available means to repress all those who would reject his proposal for

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administrative rule. He promised the settlers that he would strengthen and protect the settlements in the occupied Palestinian territories, including greater Al-Quds - which, to him, should remain the eternal capital of Israel - thus defying the will of the international community and disregarding the resolutions of the United Nations.

Despite all this, in August of this year, he visited the United States of America, secured United States guarantees for a loan of $10 billion to Israel and got the green light from the Bush administration to complete the construction of 11,000 new housing units in the occupied territories.

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He also obtained United States support for a programme of continued Jewish immigration to occupied Palestine, as well as American support for Israel's military superiority in the region.

Although that position called into question the credibility of the United States Administration as a major sponsor of the peace process, the Arabs have continued to negotiate with Israel, and by so doing have reaffirmed their resolve to reach a just and comprehensive peaceful solution. Mr. Rabin, however, has proved to be no different, either in approach or in policies, from his predecessor Mr. Shamir, whose policies and aims, at least, were publicly admitted.

What has Mr. Rabin offered in negotiating with the Arabs and Palestinians, to demonstate his flexibility and good faith? He has offered the Palestinian delegation administrative rule and elections on the assumption that the Palestinian territory was Israeli territory and that Jerusalem was a unified city under Israeli sovereignty. By so doing, he has reduced the Palestinians to the status of a minority living on Israeli territory that may be accorded limited administrative rule. As for those who remain outside occupied Palestine, they would be resettled in neighbouring Arab countries and made nationals of those countries. Thus, they would be sentenced to live outside their motherland, Palestine. In this manner, Mr. Rabin hopes to eliminate the refugee problem and avoid the legitimate call of the international community in General Assembly resolution 194 (III) for the return of Palestinian refugees to their homes and their land.

With that proposal, Mr. Rabin wants to entrench the existence of Israeli settlements on the Palestinian territory as a fait accompli. Mr. Rabin and his delegation have refused to accept the applicability of Security Council resolutions 242 (1967) and 338 (1973) to the Palestinian territory in the

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transitional period only, as he claims, so as not to delimit the geographical mandate of the administrative rule or suggest the right of the Palestinian people to sovereignty over their own land, resources and waters.

Shortly thereafter, the Israeli delegation returned with partial amendments to the proposal on administrative rule. It divided our occupied territory into three areas, placing the settlements under Israeli sovereignty and the areas with a large Palestinian population under administrative rule. As for the rest of the territory, it would be placed under a joint Israeli-Palestinian authority.

Smacking as they do of South African bantustanization, these proposals which have been put forward by the Israeli delegation are the means by which the Israeli Government hopes to secure tight control over land and people alike.

Notwithstanding the bad faith in such Israeli proposals, our Palestinian delegation continued to discuss them in order to keep the peace process going and to move it forward. While we did this, the Israeli delegation persistently mired the negotiations in polemics and legal controversies that have no basis in fact and are based on fabrications and on denial of the human, political and national rights of the Palestinians. In this way, the negotiations have been sidetracked from the path that leads to comprehensive peace.

Similar proposals have been made to other Arab delegations. For example, the Israelis have proposed the setting up of a joint military commission with Lebanon, instead of withdrawing from the south of that country in accordance with Security Council resolution 425 (1978), which stipulates unconditional withdrawal. A partial withdrawal from the Syrian Golan front has been put

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forward and hedged by conditions that could not become acceptable until after the total withdrawal of Israeli forces from all the occupied Arab territories.

This type of manoeuvring has led us, as negotiating Arab parties, to reiterate repeatedly our desire to arrive at a just and lasting peace agreement, if Israel abides by the behests of international legality, which comprise the principles and the foundations on which the peace process is built - particularly the principle of withdrawal from all the Arab territories occupied since 1967, including Al-Quds, in return for peace and the full implementation of Security Council resolutions 242 (1963) and 338 (1973), in a manner that would guarantee the legitimate rights of the Palestinian people as well as the implementation of resolution 425 (1978), which demands Israel's unconditional withdrawal to the internationally recognized Lebanese boundaries.

We also pointed out that Israel has not yet risen to the level of the expectations and hopes that were generated by the return of a new Israeli Government nor to the level of the statements by that Government and its stated positions, with the attendant optimism that has been expressed in certain Western circles. Consequently, the Arab ministers have called upon the two co-sponsors of the Peace Conference to further intensify their efforts in order to move the peace process forward in a more efficacious manner. Regrettably, the negotiations have continued to move sluggishly and routinely without any progress worth mentioning. Indeed, these negotiations now move in a sort of vicious circle and have lost their momentum and become in urgent need of new elements or factors that would revive the peace process and increase the potential for achieving continued results.

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The year has passed that had been specified in the letter convening the Middle East Peace Conference in Madrid - a Conference which the United Nations regarded as an important step for arriving at a comprehensive and just peace in the region. The year has passed and the negotiations in Washington have not led to any promising, positive results because of the intransigent Israeli posture. We have stated repeatedly that the United Nations bears a permanent responsibility towards the question of Palestine, which is the core issue of the Arab-Israeli conflict, since this is the very international Organization that issued the birth certificate of Israel on certain conditions, which Israel has never abided by.

The General Assembly must ask the Security Council to begin to implement the resolutions that have been adopted. The Council should also provide protection to the civilians in the occupied Palestinian territories, including Al-Quds, even if that means deploying peace-keeping forces as the Council does elsewhere in the world.

It has been our hope that an international peace conference, under the aegis of the United Nations in its capacity as a global and impartial international body, could be convened in which all interested parties would participate on an equal footing and which would also be attended by the five permanent members of the Security Council. It was hoped that within the framework of such a conference Arab-Israeli negotiations would take place according to the relevant resolutions of international legality. At the same time, the United Nations would become an effective instrument for implementing what ultimately would be agreed upon. Since the world has distanced itself from the international conflicts of the era of polarization and the cold war why not strengthen the role of the United Nations so that it could become the

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only instrument for dealing with international problems, supervising their settlement and implementing its resolutions in a manner that would serve the interests of peace and security and satisfy the peoples of the world.

For the very same reasons, if by different means, the resolution of South Africa's problem is being stalled and the black people of South Africa under the leadership of the African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC), and the heroic leader, Nelson Mandela, continue to face vicissitudes in the policies of the racist regime. When one step forward is agreed on paper, the racist regime takes many steps backwards in practice and on the ground. Such is the nature of racist regimes in this day and age after they have lost most of their theoretical and material foundations and supports. The world can no longer tolerate the continued existence of such racist regimes which try to perpetuate themselves by oppressive and repressive means, or to lengthen their lives by perpetrating massacres and attempting to sow sedition among patriots and nationalists.

South Africa and Israel are two regimes which practice racial discrimination, deny human rights and democratic principles and deprive people under their domination of the most basic of rights which every citizen should enjoy.

We have lived many long years under Israeli occupation during which the various phases of settler-colonialism, international conflict and the cold war helped to maintain such anomalies. Now that such phenomena mostly have faded into history, and mankind is entering upon a new era, putting an end to such anomalies has become an urgent requirement necessitated by the pressing need

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firmly to establish the foundations of international security and stability. We, the Palestinian people, will continue our national struggle and our heroic intifadah until the occupation is ended and our suffering people achieve their goals of freedom, return to their homes and independence.

Peace in the Middle East cannot be achieved while the Palestinian people remain either under occupation or in the diaspora, and continue to be deprived of stability and national identity and even sometimes forced to emigrate by the thousands when the situation in the country in which they have taken temporary residence is disturbed, as happened after the Gulf War.

The Palestinian people possess every historical, cultural and educational property and capability that will enable them to build their own independent State on their national soil.

We, the Palestinians, as a people, far exceed in total numbers the Israelis, including the new immigrants from Russia, Ethiopia and other countries of the world. Those immigrants who have never set eyes on Palestine and in some cases have never even heard its name, have been brought to the Holy Land only because zionist colonial and expansionist policies have decreed that they should come and live in this land and have enticed them to do so after throwing open the doors of immigration.

We all know that the present course on which the people of the world have embarked does not tolerate racial, colonial or expansionist tendencies but rather disavows and rejects them since they run counter to the ethos of today's world and the norms of human behaviour at a time when mankind strives to maintain peace and security through peaceful coexistence, and tries to uphold human rights, defend freedom and strengthen the foundations of democracy in all countries of the world.

(Mr. Kaddoumi, Palestine)

Consequently, we must continue to work sincerely and diligently to rid the world of such anomalies in human society so that love, justice and harmony may prevail.

Another issue is that of the people of Bosnia and Herzegovina whose State became a Member of the United Nations and yet that people is still being the target of the most heinous and inhuman massacres and practices, the worst example of which is the so-called "ethnic cleansing". It is high time for the international community to take firm action to end those massacres and preserve the stability of that country in order to achieve peaceful coexistence among the peoples of the region.

(Mr. Kaddoumi, Palestine)

We cannot fail to mention our brethren the Somali people and their plight. They are in the grip of famine, chaos and internecine strife. This is a situation that calls for intensified efforts on the part of the United Nations to put an end to this tragedy.

The questions of Palestine, South Africa and other liberation causes will remain items on the agenda of the General Assembly and will continue to be discussed yearly, as long as racial and settler-colonialist dogmas continue to exist and find those who advocate them with the help of peoples or States that are willing to support or buttress their regimes.

Let us beware, then, of those who would make us forget that it is our duty to work continuously towards those noble goals by taking international decisions and actions designed to attain them, so that the General Assembly and the United Nations may continue to be able to come to the help of the oppressed peoples of the world by championing their causes and seriously working to eliminate the many injustices heaped upon them.

It is our pleasure to avail ourselves of this opportunity to welcome all the new Members of the United Nations. We look forward to the day when the State of Palestine - and South Africa after liberation - become full-fledged Members of the General Assembly so that they may join the other Members in building a new world of security, peace and love.

Mr. MUMBENGEGWI (Zimbabwe): My delegation expresses its sincere appreciation to the Secretary-General for his tireless endeavours over the past year, since we last debated the question of Palestine in the Assembly. HIs reports covering Palestinian refugee problems in higher education, displacement, ration distribution, protection and the general human rights situation in the occupied territories deserve our highest commendation indeed.

(Mr. Mumbengegwi, Zimbabwe)

Our appreciation goes also to the Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Committee to Investigate Israeli Practices Affecting the Palestinian People, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for their tireless efforts to alleviate the suffering of the Palestinian people.

The question of Palestine was debated at the forty-sixth session in a matrix of hope engendered by the historic Madrid Peace Conference. To date no substantial progress has been achieved. Rather, the peace process has proceeded alongside deteriorating conditions in the occupied territories, creating a sharp contrast to that optimism.

My delegation notes with serious concern the continued Israeli repression against Palestinians in the occupied territories. The military administration, operating through some 2,000 military orders enacted over the past 25 years, continues to create critical dimensions in the daily lives of the Palestinian people. We are informed that over the past year 121 Palestinians were killed by Israeli security forces, bringing the total number of Palestinians killed over five years to about 1,032, as reported by human rights organizations. About 5,500 persons sought emergency attention during the same year. With about 12,700 persons in detention - 5,200 persons in prisons and another 7,500 persons in military detention centres - Israel's good will in the negotiations becomes highly questionable.

June 1992 marked the twenty-fifth anniversary of the Israeli occupation of Palestinian territory. These have been long years of suffering, and the Palestinian people have paid in that occupation with their own lives to assert what self-determination stands for. To the Palestinian people, my delegation

(Mr. Mumbengegwi, Zimbabwe)

expresses its continued and unwavering support in their legitimate struggle. The well-documented abuse of human rights in the territories, ranging from destruction of property, demolition of houses, collective punishment and punitive beatings to torture, conjure up a picture of the serious deterioration of the situation in the occupied lands. Indeed, the international community cannot stand by while such atrocities are committed. It must condemn them, and take measures to stem them, with the same firmness that it is applying in other areas of the world where such atrocities occur.

The international community has clearly declared that there cannot be any just and lasting solution to the Palestinian problem unless Israel withdraws from the occupied territories. Security Council resolutions 242 (1967) and 338 (1973) clearly spell out what needs to be done to achieve a lasting solution to this problem. We have witnessed numerous peace initiatives; yet the question of Palestine remains unresolved four decades after it was inscribed on the agenda of the international community.

It is regrettable that Israeli intransigence continues and that the Israeli authorities refuse to cooperate with the Secretary-General and other United Nations bodies to facilitate their work. The deportation and harassment of UNRWA staff are proof of Israel's defiance of calls from the international community. Despite those international calls and efforts, Israel continues to annex Palestinian land for the settlement of Israeli nationals and others of Jewish origin.

(Mr. Mumbengegwi, Zimbabwe)

Israel as the occupying Power, must fully comply with the Fourth Geneva Convention of 1949, as well as the various human rights instruments it ratified in 1991. We call upon the High Contracting Parties to assist in the enforcement of these instruments, as called for in Security Council resolutions 672 (1990) and 681 (1990). We note with regret the lack of full implementation of resolution 681 (1990), p ticularly the absence of regular information to the Security Council on what is happening on the ground.

My delegation remains convinced of the need for full participation and involvement of the United Nations in the peace process. The United Nations has provided the appropriate framework for a peace process that will lead to the achievement of an independent State of Palestine. Indeed, there can be no substitute for the provisions laid down in Security Council resolutions 242 (1967) and 338 (1973) and the land-for-peace formula in any efforts meant to lead towards a permanent and lasting solution.

In conclusion, my delegation reiterates its support for the international consensus that the only solution to the Palestinian problem is the acceptance by Israel of the inalienable right of the Palestinian people to self-determination, leading to the establishment of an independent State of Palestine.

My delegation salutes the people of Palestine under the leadership of the Palestine Liberation Organization for their courage, determination, tenacity and resourcefulness in their struggle to determine their own destiny. This is a struggle, as history has shown, in which they are assured of total victory.

Mr. YAHYA (Malaysia): Over the past 45 years the question of Palestine, which is the core of the Middle East conflict, has every year been addressed by the United Nations and yet, today, the issue remains unresolved. Malaysia sees the fundamental changes in the current international political scene, characterized by the shift from confrontation to cooperation, as a fresh opportunity for renewed efforts to resolve the outstanding regional and international conflicts, including the Palestinian problem. The international community should not miss this historic opportunity to bring about a comprehensive, just and lasting settlement of the long outstanding question of Palestine. Further delay in its solution can cause dire political and humanitarian consequences and persistent dangers of instability in that volatile region of the world.

Today marks the anniversary of the thirteenth month since the Peace Conference on the Middle East was first convened in Madrid on 30 October 1991. The international community heralded the peace initiative as a positive step but, after a year, we have yet to witness any substantial progress in the peace talks. The lack of progress runs counter to the imperative of making the necessary accommodation consistent with the principle of land for peace and the provisions of Security Council resolutions 242 (1967) and 338 (1973). In the meantime, Israel continues, and indeed has stepped up, its policies and practices of repression, dispossession, economic strangulation, demolition of houses, closure of hospitals and schools, deportations and expulsions, detentions and killings, and other physical and psychological pressures against the Palestinian people in the occupied territories. All these illegal Israel policies and practices are in violation of the relevant Security Council resolutions, the Fourth Geneva Convention and international law.

(Mr. Yahya, Malaysia)

The entire international community would like to see the current Middle East peace process succeed. It is precisely for this reason that the situation in the occupied territories must be dealt with in a way that is conducive to the peace process. Hence the time has come for the United Nations to take positive steps to ensure the safety and protection of the Palestinian people in the occupied territories.

In this regard, we call on the Security Council to ensure the implementation of its resolutions 672 (1990) and 681 (1990). At the same time, the General Assembly and the Security Council should immediately consider sending a United Nations observer team to the occupied territories to restore the confidence and trust needed for the smooth progress of the peace process. My delegation believes that the presence of United Nations observers would help ensure Israel's respect for relevant Security Council resolutions, the Fourth Geneva Convention and international law. The international observers would also ensure the safety of the personnel of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), thus enabling them to carry out their humanitarian assistance to the people of the occupied territories without hindrance. If the authorities in Pretoria can accept United Nations and other observers to monitor the process of reforms in that country, while also encouraging a climate of trust and confidence, there is no reason why Israel and its supporters in the Security Council cannot accept United Nations observers in the occupied territories.

(Mr. Yahya, Malaysia)

The plight of the Palestinian people touches the heart of every Malaysian. Malaysia has always supported the heroic struggle of the Palestinian people in their quest for self-determination and the establishment of a sovereign independent State of their own. Malaysia deeply sympathizes with the struggle of the Palestinian people through the intifadah for their national rights, the road to self-determination.

(Mr. Yahya, Malaysia)

In this regard we note with particular concern that since the beginning of the intifadah five years ago more than a thousand Palestinians have been killed by the Israeli security forces and undercover units. There are now more than 12,000 Palestinian young men, women and children languishing in detention camps and prisons. We have no doubt that the just Palestinian resistance will not only persist but further intensify if Israeli occupation and oppression continues. Israel must realize that the Palestinians will not succumb to oppression and hostilities. They are determined to liberate their territories and to win back their rights to justice and a dignified life in their own homeland.

Recent reports indicate that Israel's brutality in the occupied territories has intensified, causing grave concern and deterioration of attitudes about the usefulness of continuing with the peace talks. The sudden surge of violence and killings of innocent Palestinians, and recent attacks on their settlements, will undoubtedly create new uncertainties in the Middle East peace process. In any case, the peace process is now marking time for resuscitation by the incoming new Administration in the United States. We join those others who have expressed the hope that the new Administration will use its good offices to exert influence on Israel not only to stop its brutality against the Palestinian people in the occupied territories but also, more importantly, to ensure a freeze on the illegal settlement activities. This is particularly important in view of the recent approval of a foreign-aid Bill of US 10 billion in loan guarantees for Israel despite opposition from many quarters.

(Mr. Yahya, Malaysia)

The results of the Israeli general elections in June this year, in which the majority of Israel's public voted for peace, raised high hopes all around. However, we are rather disappointed that six months since then the new regime has yet to demonstrate its commitment in favour of peace as mandated by its people. The statement by its Foreign Minister in this very Assembly, entitled "Towards a new Middle East", of 1 October 1992, contains no plausible new initiative. Israel remains evasive on the central principle of land for peace, stubbornly refusing to comply with the relevant United Nations resolutions and to acknowledge the right of the Palestinian people to self-determination. My delegation has serious doubts as to Israeli sincerity in offering to negotiate an interim self-government arrangement for a probation period of less than five years. Besides, the offer obviously falls far short of the demand of the Arabs and the Palestinians, who want nothing less than the return of the occupied territories. It is yet to be seen if the new Prime Minister, the once Defence Minister who strongly opposed an independent Palestinian State and ordered an iron-fist policy during the early days of the intifadah that led to many casualties, will make sincere efforts to allow the current peace process to move ahead substantially. We therefore call on the new Israeli Government to prove its sincerity in the current peace endeavour with deeds rather than promises.

Malaysia believes that the Palestinian question could be resolved within the framework used for Namibia, with United Nations involvement, and starting with a transition period of self-government to be followed a process leading to the establishment of an independent Palestinian State, with Al-Qud Al-Shariff, East Jerusalem, as its capital.

(Mr. Yahya, Malaysia)

Lest we forget, Jerusalem is an integral part of the Palestinian territories occupied since 1967, and as such it cannot be left out of the current peace negotiations. In this regard we urge all, in particular the permanent members of the Security Council, to prevail upon Israel not to exclude the issue of Jerusalem from the current peace talks. The peace negotiations will not succeed if the issue of Jerusalem, the crux of the Arab-Israeli conflict, is not resolved. We urge that the international community remain steadfast in pressing for a comprehensive, just and lasting solution to the Palestinian question and to the overall Arab-Israeli conflict, based on resolutions 242 (1967) and 338 (1973), which call for Israeli withdrawal from all the occupied Palestinian and Arab territories, including Jewrusalem, the Syrian Golan and Southern Lebanon.

Malaysia calls upon the United Nations to be fully engaged in the Middle East peace process currently underway. In this regard we welcome the appointment of a Special Representative of the Secretary-General to the multilateral negotiations of the Middle East peace talks, and hope that the appointment will provide additional momentum. In view of the lack of progress in the bilateral negotiations in Washington, it is imperative that the United Nations play an active catalytic role to ensure a successful outcome of the multilateral talks in The Hague. Malaysia fully supports an international peace conference under the auspices of the United Nations, involving all the parties in the conflict, Arab neighbours and other interested parties, to ensure a fair hearing of the Palestinian problem with a view to achieving a comprehensive, just and lasting peace in the Middle East.

TENTATIVE PROGRAMME OF WORK

The PRESIDENT: I should like to inform members that the General Assembly will consider the report of the Fifth Committee on agenda item 145, "Financing of the United Nations Operation in Somalia", tomorrow, Tuesday, 1 December, in the afternoon, as the last item at that meeting.

AGENDA ITEM 30 (continued)

QUESTION OF PALESTINE

(a) REPORT OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE (A/47/35)

(b) REPORT OF THE SECRETARY-GENERAL (A/47/716)

Mr. HADID (Algeria) (interpretation from French): At the outset I wish to thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People and its Chairman and members for all of their efforts. I wish also to express our gratitude to the Secretariat's Division for Palestinian Rights and to the Department of Public Information for their regular dissemination of information and precise and objective data on the question of Palestine and the Palestinian people.

I shall not dwell on the background to the question of Palestine. I shall confine myself to emphasizing certain aspects that we consider essential, especially at the present stage of development in the world and in the Middle East region.

I wish first of all to reiterate our respect and admiration for the intifadah of the Palestinian people, a striking expression of their rejection of occupation and their resolve to realize their legitimate aspirations despite the fierce repression they face.

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I wish also to stress that we see no conflict between, on the one hand, the continuation of the consideration in the United Nations of the question of Palestine and the Arab-Israeli conflict, including the consideration of subsidiary matters in various General Assembly committees, and, on the other hand, the continuation of the bilateral and multilateral negotiations that began last year at the Madrid Conference with a view to bringing comprehensive, just and lasting peace to the Middle East region. On the contrary, we believe that the Madrid Conference, the tireless efforts that preceded it, and the hopes it has aroused have highlighted the imperative role of the United Nations and its resolutions, especially Security Council resolutions 242 (1967) and 338 (1973), which were the basis of the convening of that peace conference.

The question of Palestine - its origin, its deterioration and the fact that it has become so complex - is the result of a flagrant, planned and premeditated violation of the norms and laws of the international community. How else can we describe the occupation of territories, the explusion of their inhabitants and the destruction of their livelihood? How else can we decribe the violations of human rights in the occupied Palestinian territories, the confiscation of property, the establishment of settlements on lands seized from their legitimate owners, the imprisonment of innocent people, and the destruction of houses as an act of reprisal and vengeance?

To participate in the peace process begun at Madrid was a difficult choice for the Palestinians, who for long years have borne the yoke of Israeli occupation and who have seen many attempts by the international community to

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promote a just and lasting settlement in the Middle East blocked by Israel, whose settlement policy and repressive practices have slammed the door on every effort.

Prior to and during the Madrid Conference, the Palestinian position has been characterized by flexibility and the desire for peace. It has overcome all the obstacles and conditions raised by Israel, in the hope that the Conference would truly be a historic opportunity for negotiations between the Arabs and the Israelis and for bringing peace to all the peoples of the region.

We reaffirm that the Palestinian problem and the Middle East conflict are indivisible, and that, to be lasting, peace must be comprehensive and just. Accordingly, any attempt to impose partial or unilateral solutions cannot yield peace. Peace can come to the region only if it involves all the parties, including the Palestinians. In that context, we commend the responsible and courageous position of the Palestine Liberation Organization (PLO), the sole, legitimate representative of the Palestinian people, whose representative nature is becoming ever more undeniable.

Algeria remains convinced that the success of the bilateral and multilateral negotiations that have been under way for a year depends on Israel's ability to comply with international legality on, among other things, the following elements: respect for and implementation of United Nations resolutions, in particular Security Council resolutions 242 (1967) and 338 (1973); a halt to the policy of settlements in the occupied Palestinian and Arab territories, and the dismantlement of existing Israeli settlements; and a guarantee that the various stages of the peace process will continue until the

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achievement of a comprehensive solution securing for the Palestinian people the exercise of all its national rights, including its right to self-determination and to the establishment of an independent State on its own territory, with El-Quds as its capital.

The good will expressed by the new Israeli Government is not reflected in an improvement of the situation in the occupied Palestinian territories; paradoxically, the repression has intensified, as manifested during the demonstrations that followed the hunger strike by Palestinian prisoners in October 1992. Israel's repeated, flagrant violations of the Fourth Geneva Convention continue despite the position of the Security Council, which has affirmed its applicability to all the occupied territories.

We reaffirm that the responsibility of the United Nations will continue until all aspects of the question of Palestine are settled. In that connection, my country is convinced that one of the conditions for the success of the peace process is that the United Nations play an active role in all negotiations to contribute to the achievement of the objectives for a just, comprehensive and lasting peace in the region. We are convinced also that it is essential at every stage for Israel to respect international law and the Fourth Geneva Convention.

Mr. KARUKUBIRO KAMUNANWIRE (Uganda): For four decades the attention of the United Nations has been focused on the Middle East conflict. At the core of that conflict is the question of Palestine and the continued denial by Israel, the occupying Power, of the inalienable rights of the Palestinian people, including its right to self-determination. Failure to solve this underlying problem has made the Middle East region the powder-keg of the world.

(Mr. Karukubiro Kamunanwire, Uganda)

Over the years the Committee on the Exercise of the Inalienable Rights of the Palestinian People has done a commendable job in monitoring and bringing to the attention of the international community the plight of the Palestinian people in the occupied territories. I wish therefore to pay a well-deserved tribute to the Chairman of that Committee, Ambassador Cissé of Senegal, for his lucid introduction of the Committee's report (A/47/35). The report shows us the agony of the Palestinian people and vividly portrays the explosive situation in the region, which clearly poses a threat to international peace and security.

According to the report, Israel has persisted in denying the Palestinian people their basic, fundamental rights to freedom of expression, of political association and of movement, and to economic development. An atmosphere of fear and tension has been created in the occupied territories. Ominous developments are the wide powers the occupying Power has given to Jewish settlers to use firearms against Palestinians, and the use of Israeli undercover agents. These actions have aggravated fear and increased tension. The report cites the growing number of children and women who are casualties of this indiscriminate use of force.

The interference by Israeli authorities in the educational activities of Palestinian universities and colleges remains a matter of concern for us. While we welcome the reopening of these institutions as a positive move, we find it regrettable that access to educational materials continues to be resticted. This deliberate denial to the Palestinians of literacy and the cultural material of their choice is not helpful for their education or their social development.

(Mr. Karukubiro, Kamunanwire, Uganda

We wish especially to commend the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and other international organizations that have continued in spite of difficult circumstances to render assistance to the Palestinian and other Arabs in the occupied territories. We find it regrettable that the Israeli authorities have from time to time interfered with their work. UNRWA should be allowed to fulfil its mandate, which is essentially humanitarian in nature.

(Mr. Karukubiro Kamunanwire, Uganda)

Apart from repressive measures, the Israeli strategy seems to include the stifling of the economic development of the Palestinians. Measures to that end have included the imposition of high taxes on the meagre incomes of Palestinians while at the same time denying them permits to engage in other economic activities.

The expropriations of Palestinian lands and the expansion of the Jewish settlements continue. Those measures, coupled with the collective punishment and expulsion of Palestinians, are designed to alter the demographic character of the occupied territories and to create a fait accompli. They run counter to the Geneva Convention relative to the Protection of Civilians in Time of War. Israel must comply with its obligations under the Convention.

Faced with such measures the Palestinians have had no alternative but to continue with the intifadah in the quest for freedom. The struggle is bound to intensify as the repressive measures increase.

The Middle East will continue to be a rumbling volcano likely to explode at any time until there is a restoration of the inalienable rights of the Palestinian people. It is therefore incumbent upon the United Nations to look for a just, comprehensive and durable solution.

In the aftermath of the Gulf War, whose rationale was to preserve international peace and security and ensure full compliance with Security Council resolutions, a window of opportunity was created to address the problem comprehensively. Uganda therefore welcomed the initiative of the United States to convene the Middle East peace talks on the basis of Security Council resolutions 242 (1967) and 388 (1973), which, inter alia, encompass the principle of land for peace. The attitude of Arab countries has been constructive. Despite misgivings with regard to Israeli moves to determine

(Mr. Karukubiro Kamunanwire, Uganda)

the nature and composition of Palestinian representation, the Arab countries have shown flexibility and continued with the talks. It is our hope that the new Government in Israel will be more forthcoming and respond positively and boldly to these overtures. We wish to encourage the parties to continue on the path of negotiations and the United States to continue its role as an honest broker.

While supportive of the initiative started by the United States, it remains our view that the International Peace Conference on the Middle East called for in General Assembly resolution 38/58 C is the most viable framework for addressing all the elements necessary for a just and comprehensive solution. These elements include, inter alia, the right of Palestinians to self-determination and independence in a State of their own and the withdrawal by Israel from the occupied lands, including Jerusalem. For the talks to be meaningful, the Palestine Liberation Organization (PLO), which is the sole and authentic representative of the Palestinians, must of necessity be involved in the negotiations. Israel should recognize that it is in its interests and those of the region to negotiate in good faith with the authentic representatives who can genuinely commit the Palestinian people.

The United Nations has a central role to play in those negotiations. It has an obligation at this crucial time to redouble its efforts and mobilize the international community to help in solving the conflict in the Middle East. My delegation therefore welcomes the Secretary-General's appointment of a Special Representative to the Middle East peace talks. His presence at the talks should help the parties to keep in view the elements the Organization has identified as essential to a durable solution. It is our sincere hope that all parties will cooperate with the Special Representative.

(Mr. Karukubiro Kamunanwire, Uganda)

In conclusion, I wish to reiterate our solidarity with and support for the Palestinian people in their just struggle, under the leadership of the PLO, their sole and authentic representative.

Mr. TRINH XUAN LANG (Viet Nam): For several decades the situation in the Middle East has always evoked in our mind the images of excessive tension and uncontrollable conflict. Although recent developments in this explosive part of the world have raised hope for solutions to age-old conflicts, including the Arab-Israeli conflict, whose core is the question of Palestine, a lasting peace that ensures justice for all peoples and security for all States in the region and the prospect of the Palestinian people's realizing their right to govern themselves in their homeland are not yet within reach. Continued efforts by the international community, especially within the framework of the United Nations, aimed at bringing about a comprehensive, just and lasting solution to the question of Palestine, are no less important today than they were before.

We are discussing the question of Palestine this year in the context of two positive events, namely, the peace process, starting with the Middle East Peace Conference at Madrid in October 1991, followed by a series of bilateral and multilateral talks, and the recent Israeli elections, which brought to power a Labour Government. Those events give us grounds for new hopes. However, obstacles to peace continue to be enormous. While the peace process itself is a positive element, and while the new Israeli Government has made a number of positive statements concerning its settlement policy, the general approach on the part of that Government remains to be seen. The continued deterioration of the situation in the occupied Palestinian territories, the imposition of repressive measures by the occupying Power against the

(Mr. Trinh Xuan Lang, Viet Nam)

Palestinians living under its occupation, the creeping annexation of the occupied Palestinian territory and the worsening economic and other living conditions of Palestinians constitute very negative elements that are jeopardizing the chances of success of the peace process. We note with concern the general conclusion drawn by the Special Committee to Investigate Israeli Practices affecting the Human Rights of the Palestinian People and Other Arabs in the Occupied Territories to the effect that the situation of basic human rights and fundamental freedoms in the occupied territories continues to be serious and remains a threat to international peace and security.

(Mr. Trinh Xuan Lang, Viet Nam)

Viet Nam has always followed the developments relating to the question of Palestine with keen interest and, together with other peace-loving peoples, remains unflinching in its support for the legitimate struggle of the Palestinian people, under the leadership of the Palestine Liberation Organization, through the intifadah, to secure its inalienable national rights, primarily the right to self-determination, the right of return to its homeland and the right to establish an independent and sovereign State. While welcoming the ongoing peace talks, we are of the view that the question of Palestine must be solved on the basis of Security Council resolutions 242 (1967) and 338 (1973) and of a complete withdrawal of Israeli troops from all occupied Arab and Palestinian territories, a cessation of the construction of settlements therein and the recognition of the fundamental national rights of the Palestinian people.

My delegation is pleased to note that, at the negotiating table and within the framework of the ongoing peace process, some substantive papers providing a foundation for further negotiations have been presented by various parties to the negotiations, in particular by Syria and Palestine, and that those parties have been deeply engaged in substantive discussions and in establishing a work plan. We concur with the idea that the time has come for talks aimed at defining possible areas of agreement and at narrowing the gaps. In that connection, I should like to express our support for the good-will position of the Palestinian delegation to the Middle East peace talks, and I hope that that position will receive a positive response from the other parties.

The United Nations, which is entrusted with the responsibility of maintaining international peace and security, has been involved in the question of Palestine and its refugee component ever since its inception.

(Mr. Trinh Xuan Lang, Viet Nam)

This most important international Organization has a permanent responsibility towards the Palestinian cause until a comprehensive, just and lasting settlement of all aspects of this issue can be found, guaranteeing an end to the foreign occupation and enabling the Palestinian people to exercise its inalienable national rights. In fact, the United Nations system has been mandated in many ways to shoulder its responsibility in that regard. The United Nations was urged to participate fully in the current peace process, and we are pleased to note that our Organization was recently invited to participate as a full extra-regional participant in three working groups on Middle Eastern regional issues.

The situation in the Middle East and that relating to the question of Palestine continue to be very complicated, and there remains much to be done by the international community to achieve genuine peace and stability in that troubled part of the world. Nevertheless, the situation is more favourable now than at any previous time in the history of the conflict. The opportunity is too precious to be wasted. Let us continue working together to exert more efforts towards the goal of a comprehensive, just and lasting solution to the question of Palestine, thus bringing peace and stability to the Middle East.

The meeting rose at 5.55 p.m.